## IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF ARKANSAS JONESBORO DIVISION

SANDRA DEE SMITH PLAINTIFF

v. 3:08CV00039 JTR

MICHAEL J. ASTRUE, Commissioner, Social Security Administration

**DEFENDANT** 

## **ORDER**

Although the Complaint in this case was filed March 18, 2008, no return of service has been filed indicating that proper service has been obtained on Defendant.

Under these circumstances, the Complaint is subject to dismissal. Fed.R.Civ.P. 4(m); *Bryant v. Brooklyn Barbecue Corp.*, 932 F.2d 697 (8th Cir.), *cert. denied*, 502 U.S. 1005 (1991); *Ouzts v. Cummins*, 825 F.2d 1276 (8th Cir. 1987).

Plaintiff must obtain service on Defendant within 30 days of the entry of this Order, or the Complaint will be dismissed.

IT IS SO ORDERED this 5<sup>th</sup> day of December, 2008.

UNITED STATES MACISTRATE JUDGE